

**U.S. District Court  
District of Montana (Billings)  
CRIMINAL DOCKET FOR CASE #: 1:17-cr-00120-SPW All Defendants**

Case title: USA v. Mills

Date Filed: 10/23/2017

Date Terminated: 11/02/2018

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Assigned to: Judge Susan P. Watters

**Defendant (1)**

**Donald Friedlich Mills, III**  
*TERMINATED: 11/02/2018*

represented by **Federal Defender David A. Merchant**  
FEDERAL DEFENDERS OF MONTANA –  
BILLINGS  
2702 Montana Avenue, Suite 101  
Billings, MT 59101-2372  
Email: [Judy\\_Fisher@fd.org](mailto:Judy_Fisher@fd.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or Community*  
*Defender Appointment*

**Pending Counts**

18:1365A.F TAMPERING WITH  
CONSUMER PRODUCTS  
(1)

21:843A=CP.F ACQUIRING  
FENTANYL BY  
MISREPRESENTATION, FRAUD,  
FORGERY AND DECEPTION  
(2)

**Disposition**

DFT IS SENTENCED ON COUNTS 1-2 IN  
THE INDICTMENT TO 5 YEARS  
PROBATION. Fine waived; special assessment  
200.00.

DFT IS SENTENCED ON COUNTS 1-2 IN  
THE INDICTMENT TO 5 YEARS  
PROBATION. Fine waived; special assessment  
200.00.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff****USA**

represented by **Thomas Godfrey**  
 U.S. ATTORNEY'S OFFICE –  
 BILLINGS  
 2601 2nd Avenue North, Ste 3200  
 Billings, MT 59101  
 406-247-4631  
 Fax: 406-657-6989  
 Email: [Thomas.Godfrey@usdoj.gov](mailto:Thomas.Godfrey@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

Date Filed	#	Page	Docket Text
10/23/2017	<u>1</u>		SEALED INDICTMENT as to Donald Friedlich Mills, III (1) count(s) 1, 2. (JEC) (Entered: 10/24/2017)
10/23/2017	<u>2</u>	7	Redacted Indictment as to Donald Friedlich Mills, III. (JEC) (Entered: 10/24/2017)
10/23/2017	<u>3</u>		Criminal Cover Sheet filed by USA as to Donald Friedlich Mills, III. (JEC) (Entered: 10/24/2017)
10/23/2017			Judge not added at case opening. Judge update in case as to Donald Friedlich Mills, III. Judge Susan P. Watters added. (CDH) (Entered: 11/01/2017)
11/03/2017			Arrest of Donald Friedlich Mills, III (JDR) (Entered: 11/03/2017)
11/03/2017			Set Hearing as to Donald Friedlich Mills, III. Arraignment set for 11/7/2017 at 02:00 PM in Billings, MT before Magistrate Judge Timothy J. Cavan. (JDR) (Entered: 11/03/2017)
11/07/2017			Case unsealed as to Donald Friedlich Mills, III (JDR) (Entered: 11/07/2017)
11/07/2017	<u>5</u>		Arrest Warrant Returned Executed in case as to Donald Friedlich Mills, III. (EMH) (Entered: 11/07/2017)
11/07/2017	6		MINUTE ENTRY for proceedings held before Magistrate Judge Timothy J. Cavan: Initial Appearance and Arraignment as to Donald Friedlich Mills III (1) Count 1,2 held on 11/7/2017. FD Steven Babcock appearing w/in-custody deft; AUSA Thomas Godfrey appearing for govt. Deft ATN. Deft files a financial affidavit and the Court appoints FD David Merchant. Deft waives reading of the charges and is advised of the max penalties possible. Not Guilty Plea entered by Donald Friedlich Mills III (1) Count 1,2. The USA concurs with USPO recs for release. Deft is released on his own recognizance subject to standard and special conditions. Hearing commenced at 2:07 p.m. and concluded at 2:15 p.m. (Court Reporter FTR Gold) (USPO: Marcie Zink), (Law Clerk: J. Harkins), (Hearing held in Billings – BHC) (JDR) (Entered: 11/07/2017)
11/07/2017	<u>7</u>		CJA 23 Financial Affidavit by Donald Friedlich Mills, III (JDR) (Entered: 11/07/2017)

11/07/2017	<u>8</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Donald Friedlich Mills, III, Reimbursement information: Defendant is not required to reimburse the Court. Signed by Magistrate Judge Timothy J. Cavan on 11/7/2017. (JDR) (Entered: 11/07/2017)
11/07/2017	<u>9</u>	ORDER Setting Conditions of Release as to Donald Friedlich Mills, III. Signed by Magistrate Judge Timothy J. Cavan on 11/7/2017. (JDR) (Entered: 11/07/2017)
11/08/2017	<u>11</u>	SCHEDULING ORDER as to Donald Friedlich Mills, III. Discovery due by 11/13/2017. Motions due by 11/27/2017. Motion Change of Plea due by 12/29/2017. Pretrial Conference set for 1/8/2018 at 08:30 AM in Billings, MT before Judge Susan P. Watters. Jury Trial set for 1/8/2018 at 09:00 AM in Billings, MT before Judge Susan P. Watters. Signed by Judge Susan P. Watters on 11/8/2017. (EMH) (Entered: 11/08/2017)
11/08/2017	<u>12</u>	NOTICE OF TRIAL DAYS by USA as to Donald Friedlich Mills, III. Number of Trial Days: 2 (Godfrey, Thomas) (Entered: 11/08/2017)
11/08/2017	<u>13</u>	Notice of Discovery Request by Donald Friedlich Mills, III (Merchant, David) (Entered: 11/08/2017)
12/26/2017	<u>14</u>	Unopposed MOTION to Continue <i>Trial</i> by Donald Friedlich Mills, III. (Attachments: # <u>1</u> Text of Proposed Order) (Merchant, David) (Entered: 12/26/2017)
12/26/2017	<u>15</u>	ORDER granting <u>14</u> Motion to Continue as to Donald Friedlich Mills III (1). Motions due by 1/19/2018. Plea Agreement due by 2/23/2018. Jury Trial set for 3/5/2018 at 09:00 AM in Billings, MT before Judge Susan P. Watters. Pretrial Conference set for 3/5/2018 at 08:30 AM in Billings, MT before Judge Susan P. Watters. Signed by Judge Susan P. Watters on 12/26/2017. (JEC) (Entered: 12/26/2017)
02/20/2018	<u>16</u>	Second MOTION to Continue <i>Trial</i> by Donald Friedlich Mills, III. (Attachments: # <u>1</u> Text of Proposed Order) (Merchant, David) (Entered: 02/20/2018)
02/21/2018	<u>17</u>	ORDER RESETTING TRIAL AND PRETRIAL DEADLINES. Order granting <u>16</u> Second MOTION to Continue <i>Trial</i> filed by Donald Friedlich Mills, III. IT IS HEREBY ORDERED that the Jury Trial set for 3/5/2018 is VACATED and RESET for 5/7/2018 at 09:00 AM in Billings, MT before Judge Susan P. Watters. Pretrial Conference set for 5/7/2018 at 08:30 AM in Billings, MT before Judge Susan P. Watters. Motions due by 3/23/2018. Motion Change of Plea due by 4/27/2018. Signed by Judge Susan P. Watters on 2/20/2018. (EMH) (Entered: 02/21/2018)
04/27/2018	<u>18</u>	MOTION TO CHANGE PLEA by Donald Friedlich Mills, III. (Attachments: # <u>1</u> Text of Proposed Order) (Merchant, David) (Entered: 04/27/2018)
04/27/2018	<u>19</u>	ORDER VACATING TRIAL AND SETTING A CHANGE OF PLEA HEARING as to Donald Friedlich Mills, III ( Change of Plea Hearing set for 5/8/2018 at 09:30 AM in Billings, MT before Judge Susan P. Watters.) Signed by Judge Susan P. Watters on 4/27/2018. (AMC) (Entered: 04/27/2018)
04/30/2018	<u>20</u>	OFFER OF PROOF as to Donald Friedlich Mills, III (Godfrey, Thomas) (Entered: 04/30/2018)

05/01/2018	<u>21</u>	Unopposed MOTION to Continue <i>Change of Plea Hearing</i> by Donald Friedlich Mills, III. (Attachments: # <u>1</u> Text of Proposed Order) (Merchant, David) (Entered: 05/01/2018)
05/01/2018	<u>22</u>	ORDER REFERRING CASE to Magistrate Judge Timothy J. Cavan as to Donald Friedlich Mills, III for purposes of scheduling and conducting the change of plea hearing. The change of plea hearing set for 5/8/2018 before Judge Susan P. Watters is VACATED. Motions referred to Timothy J. Cavan. Signed by Judge Susan P. Watters on 5/1/2018. (TJC chambers notified) (EMH) (Entered: 05/01/2018)
05/01/2018	<u>23</u>	Order Setting as to Donald Friedlich Mills, III Change of Plea Hearing set for 5/17/2018 at 03:00 PM in Billings, MT before Magistrate Judge Timothy J. Cavan. Signed by Magistrate Judge Timothy J. Cavan on 5/1/2018. (AEC) (Entered: 05/01/2018)
05/14/2018	<u>24</u>	Unopposed MOTION to Continue <i>Change of Plea Hearing</i> by Donald Friedlich Mills, III. Motions referred to Timothy J. Cavan. (Attachments: # <u>1</u> Text of Proposed Order) (Merchant, David) (Entered: 05/14/2018)
05/14/2018	<u>25</u>	ORDER granting <u>24</u> Motion to Continue as to Donald Friedlich Mills III (1). CHANGE OF PLEA Hearing set for 5/17/2018 is VACATED and RESCHEDULED for 5/22/2018 at 02:30 PM in Billings, MT before Magistrate Judge Timothy J. Cavan. Signed by Magistrate Judge Timothy J. Cavan on 5/14/2018. (JDR) (Entered: 05/14/2018)
05/22/2018	<u>26</u>	CONSENT TO proceed before a Magistrate Judge for a Guilty Plea as to Donald Friedlich Mills, III (AEC) (Entered: 05/22/2018)
05/22/2018	27	MINUTE ENTRY for proceedings held before Magistrate Judge Timothy J. Cavan: CHANGE OF PLEA HEARING as to Donald Friedlich Mills, III held on 5/22/2018. Defendant is present and is in custody, appearing with FD David Merchant; attorney Thomas Godfrey is present for the USA. Ally Guldborg in attendance with the USPO. Deft is advised of his right to proceed before Judge Watters. Deft consents to proceed before Judge Cavan. A Rule 11 consent is executed and filed. No PA. Defense counsel concurs. Deft is administered the oath. Deft states full name. Deft answers the usual questions by the Court. Deft has reviewed the Indictment and Offer of Proof with counsel. Deft is satisfied with counsel. Deft is advised of his rights, rights waived and lost, and max penalties. Deft acknowledges the guilty plea is voluntary with no threats or coercion. Deft is aware of the use of sentencing guideline factors and consideration of 18 USC 3553(a) factors. Deft is informed of his rights to a waiver of appeal rights, waiver by guilty plea, loss of certain federal benefits and rights as a citizen, and rights to a jury trial. The USA reads the elements and offer of proof into the record. Deft counsel clarifies a portion of the offer of proof. Defendant states his guilt. The Court finds the deft competently and intelligently participated today, understands, is acting voluntarily, and that there is a factual basis for the plea. The deft enters a GUILTY plea to Count 1 and 2 of the INDICTMENT. The Court will recommend that Judge Watters accept the guilty plea. Deft is advised of the 14 day objection deadline. Deft is advised of the PSR procedure. Defendant continued previous release on conditions. Hearing commenced at 2:40 PM and concluded at 3:06 PM (Court Reporter Becky Sabo) (USPO: Ally Guldborg), (Law Clerk: J. Harkins), (Hearing held in BHC-Billings) (AEC) (Entered: 05/22/2018)

05/22/2018	<u>28</u>		FINDINGS AND RECOMMENDATIONS on Plea of Guilty as to Donald Friedlich Mills, III. Signed by Magistrate Judge Timothy J. Cavan on 5/22/2018. (JDR) (Entered: 05/22/2018)
06/06/2018	<u>29</u>		ORDER SETTING SENTENCING as to Donald Friedlich Mills, III. IT IS HEREBY ORDERED that Judge Cavan's <u>28</u> Findings and Recommendations on Guilty Plea, are ADOPTED IN FULL. Therefore, IT IS HEREBY ORDERED that Sentencing is set for 10/4/2018 at 09:30 AM in Billings, MT before Judge Susan P. Watters. Signed by Judge Susan P. Watters on 6/6/2018. (EMH) (Entered: 06/06/2018)
09/18/2018	<u>30</u>		SENTENCING MEMORANDUM by USA as to Donald Friedlich Mills, III (Godfrey, Thomas) (Entered: 09/18/2018)
09/20/2018	<u>31</u>		Unopposed MOTION to Continue <i>Sentencing Hearing</i> by Donald Friedlich Mills, III. (Attachments: # <u>1</u> Text of Proposed Order) (Merchant, David) (Entered: 09/20/2018)
09/24/2018	<u>32</u>		ORDER granting <u>31</u> Motion to Continue Sentencing as to Donald Friedlich Mills III (1). Sentencing RESET for 11/2/2018 at 10:30 AM in Billings, MT before Judge Susan P. Watters. Signed by Judge Susan P. Watters on 9/24/2018. (EMH) (Entered: 09/24/2018)
10/29/2018	<u>33</u>		NOTICE of Filing Exhibits by Donald Friedlich Mills, III (Attachments: # <u>1</u> Exhibit Sentencing Support Letters) (Merchant, David) (Entered: 10/29/2018)
11/01/2018	<u>34</u>		NOTICE of Filing Exhibits by Donald Friedlich Mills, III (Attachments: # <u>1</u> Exhibit Sentencing Support Exhibits) (Merchant, David) (Entered: 11/01/2018)
11/02/2018	35		MINUTE ENTRY for proceedings held before Judge Susan P. Watters: SENTENCING held on 11/2/2018 for Donald Friedlich Mills, III. Dft present and in custody with Federal Defender David Merchant; AUSA Thomas Godfrey. PSR received/reviewed by Govt; no objections and moves for a two level decrease; Judge GRANTS. PSR received/reviewed by Defense; no objections. Judge will adopt PSR without objections; no plea agreement. Court reviews statutory and guideline calculations. Arguments made. Court reviews 3553(a) factors. DFT IS SENTENCED ON COUNTS 1–2 IN THE INDICTMENT TO 5 YEARS PROBATION. Fine waived; special assessment 200.00. Dft is advised of his right to appeal. Hearing commenced at 10:32 am and concluded at 11:20 am Presentence Report due by 11/9/2018. (Court Reporter Becky Sabo) (USPO: Ally Guldborg), (Law Clerk: J. Wolff), (Hearing held in Billings–SMC) (AMC) (Entered: 11/02/2018)
11/02/2018	<u>36</u>		PRESENTENCE INVESTIGATION REPORT (Sealed) as to Donald Friedlich Mills, III (AMC) (Entered: 11/02/2018)
11/02/2018	<u>37</u>	10	JUDGMENT as to Donald Friedlich Mills, III (1), Count(s) 1, 2, DFT IS SENTENCED ON COUNTS 1–2 IN THE INDICTMENT TO 5 YEARS PROBATION. Fine waived; special assessment 200.00. Signed by Judge Susan P. Watters on 11/2/2018. (Original with SORs to USPO) (AMC) (Entered: 11/02/2018)
11/02/2018	<u>38</u>		STATEMENT OF REASONS as to Donald Friedlich Mills, III re <u>37</u> Judgment. Signed by Judge Susan P. Watters on 11/2/2018. (sealed emailed to both counsel) (AMC) (Entered: 11/02/2018)

05/27/2020	<u>39</u>		Remark as to Donald Friedlich Mills, III: Signed copy of transfer order to USPO for processing with receiving district. (EMH) (Entered: 05/27/2020)
05/29/2020	<u>40</u>		Probation/Supervised Release Jurisdiction Transferred to District of Wyoming as to Donald Friedlich Mills, III Transmitted Transfer of Jurisdiction letter and financial record to receiving district. (EMH) (Entered: 05/29/2020)



FILED

OCT 23 2017

Clerk, U.S. District Court  
District Of Montana  
Billings



**THOMAS K. GODFREY**  
Assistant U.S. Attorney  
U.S. Attorney's Office  
James F. Battin U.S. Courthouse  
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**ATTORNEY FOR PLAINTIFF  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

<b>UNITED STATES OF AMERICA,</b>	<b>CR 17- 120 -BLG- SPW</b>
<b>Plaintiff,</b>	<b>INDICTMENT</b>
<b>vs.</b>	<b>TAMPERING WITH CONSUMER PRODUCTS</b>
<b>DONALD FRIEDLICH MILLS III,</b>	Title 18 U.S.C. § 1365(a) (Count I) (Penalty: Ten years of imprisonment, \$250,000 fine, and three years of supervised release)
<b>Defendant.</b>	<b>ACQUIRING FENTANYL BY MISREPRESENTATION, FRAUD, FORGERY, AND DECEPTION</b>
	Title 21 U.S.C. § 843(a)(3) (Count II) (Penalty: Four years imprisonment, \$250,000 fine, and three years supervised release)

**THE GRAND JURY CHARGES:**

COUNT I

That beginning in approximately February 1, 2017, and continuing until on or about March 13, 2017, at Billings in the State and District of Montana, the defendant, DONALD FRIEDLICH MILLS III, with reckless disregard for the risk that another person would be placed in danger of death or bodily injury, and under circumstances manifesting extreme indifference to such risk, did attempt to tamper with and did tamper with a consumer product that affected interstate and foreign commerce, specifically Fentanyl, and with the labeling of and container for such a product by removing the safety seal of packages containing Fentanyl and by inserting needles into said packages and removing said substance and replacing said substance with saline, all in violation of 18 U.S.C. § 1365(a).

COUNT II

That beginning in approximately February 1, 2017, and continuing until on or about March 13, 2017, at Billings in the State and District of Montana, the defendant, DONALD FRIEDLICH MILLS III, did knowingly and intentionally acquire and obtain possession of a controlled substance, to wit: Fentanyl, a Schedule II controlled substance, by misrepresentation, fraud, forgery, and deception, all in violation of 21 U.S.C. § 843(a)(3).

//

//



A TRUE BILL.

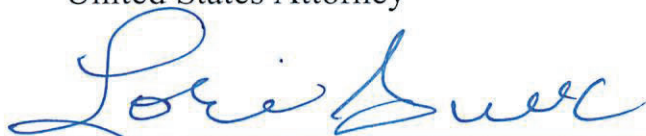
Foreperson signature redacted. Original document filed under seal.

FOREPERSON \_\_\_\_\_



KURT G. ALME

United States Attorney



JOSEPH E. THAGGARD

Criminal Chief Assistant U.S. Attorney

Crim. Summons \_\_\_\_\_

Warrant: ☒ \_\_\_\_\_

Bail: \_\_\_\_\_

# UNITED STATES DISTRICT COURT

District of Montana

UNITED STATES OF AMERICA

v.

Donald Friedlich Mills III

## JUDGMENT IN A CRIMINAL CASE

Case Number: CR 17-120-BLG-SPW

USM Number: 16998-046

David Merchant (appointed)

Defendant's Attorney

### THE DEFENDANT:

☒ pleaded guilty to count(s) 1 and 2

☐ pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.

☐ was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18usc1365a	Tampering with Consumer Products	3/13/2017	1
21usc843a3, 843d1	Acquiring Fentanyl By Misrepresentation, Fraud, Forgery,	3/13/2017	2
	and Deception		

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) \_\_\_\_\_

☐ Count(s) \_\_\_\_\_ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

11/2/2018

Date of Imposition of Judgment

*Susan P. Watters*  
Signature of Judge

**FILED**

NOV 02 2018

Clerk, U S District Court  
District Of Montana  
Billings

Susan P. Watters, District Judge

Name and Title of Judge

11/2/2018

Date

DEFENDANT: Donald Friedlich Mills III  
CASE NUMBER: CR 17-120-BLG-SPW

### IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

None.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

DEFENDANT: Donald Friedlich Mills III  
CASE NUMBER: CR 17-120-BLG-SPW

## PROBATION

You are hereby sentenced to probation for a term of :

5 years.

## MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court.
  - ☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
5. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
6. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*
7. ☐ You must make restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 3663A, and 3664. *(check if applicable)*
8. You must pay the assessment imposed in accordance with 18 U.S.C. § 3013.
9. If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment.
10. You must notify the court of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.



DEFENDANT: Donald Friedlich Mills III  
CASE NUMBER: CR 17-120-BLG-SPW

### STANDARD CONDITIONS OF SUPERVISION

As part of your probation, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of the time you were sentenced, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

### U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: [www.uscourts.gov](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DEFENDANT: Donald Friedlich Mills III  
CASE NUMBER: CR 17-120-BLG-SPW

### **SPECIAL CONDITIONS OF SUPERVISION**

1. The defendant shall participate in a program for mental health treatment as deemed necessary by the United States Probation Officer, until such time as the defendant is released from the program by the probation officer. The defendant is to pay part or all of the cost of this treatment, as directed by the United States Probation Office.
2. The defendant shall submit their person, residence, place of employment, vehicles, and papers, to a search, with or without a warrant by any probation officer based on reasonable suspicion of contraband or evidence in violation of a condition of release. Failure to submit to search may be grounds for revocation. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. The defendant shall allow seizure of suspected contraband for further examination.
3. The defendant shall participate in and successfully complete a program of substance abuse treatment as approved by the United States Probation Office, until the defendant is released from the program by the probation officer. The defendant is to pay part or all of the cost of this treatment, as directed by the United States Probation Office.
4. The defendant shall participate in substance abuse testing, to include not more than 365 urinalysis tests, not more than 365 breathalyzer tests, and not more than 36 sweat patch applications annually during the period of supervision. The defendant shall pay all or part of the costs of testing as directed by the United States Probation Office.
5. The defendant shall not possess, ingest or inhale any toxic substances such as, but not limited to, synthetic marijuana, kratom and/or synthetic stimulants such as bath salts and spice, that are not manufactured for human consumption, for the purpose of altering the defendant's mental or physical state.
6. The defendant shall not purchase, possess, use, distribute or administer marijuana, or obtain or possess a medical marijuana card or prescription.
7. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved in writing by the probation officer, for a period of 6 months.
8. The defendant shall abstain from the consumption of alcohol and shall not enter establishments where alcohol is the primary item of sale.



DEFENDANT: Donald Friedlich Mills III  
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### CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 200.00	\$	\$	\$

☐ The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss**</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>

TOTALS	\$ 0.00	\$ 0.00
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☐ Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

\* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

\*\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: Donald Friedrich Mills III  
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## SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☒ Lump sum payment of \$ 200.00 due immediately, balance due
- ☐ not later than \_\_\_\_\_, or  
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:
- Criminal monetary penalty payments are due during imprisonment at the rate of not less than \$25.00 per quarter, and payment shall be through the Bureau of Prisons' Inmate Financial Responsibility Program. Criminal monetary payments shall be made to the Clerk, United States District Court, James F. Battin U.S. Courthouse, 2601 2nd Ave North, Ste 1200, Billings, MT 59101.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVTa assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.